

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

ELIZABETH SINES, *et al.*,

Plaintiffs,

v.

JASON KESSLER, *et al.*,

Defendants.

CASE NO. 3:17-cv-00072

ORDER

JUDGE NORMAN K. MOON

Defendant James Alex Fields, by counsel, has identified that he intends to admit into evidence at his trial in this case a certified copy of his “federal sentencing report.” Dkt. 1061 at 1. Counsel for Defendant Fields is **ADVISED** that, because his presentence investigation report has been filed under seal in his criminal case, any potential use of that report in this civil case would require an order by the presiding district judge of his criminal case, Chief Judge Michael F. Urbanski, to lift the seal of the report in that criminal case. *See* W.D. Va. Gen. R. 9(c)(1)(C) (providing for sealing of presentence investigation reports); Standing Order 2020-11 and Standing Order 2015-8 (imposing limitations on disclosure of presentence investigation reports). Moreover, in view of potential hearsay or other anticipated evidentiary barriers to admissibility of the presentence investigation report in this civil case, counsel for Fields **shall file** a submission by **October 21, 2021** at **noon**, supporting its proposed use and admissibility. Plaintiffs will be entitled to respond thereto.

It is so **ORDERED**.

The Clerk of the Court is directed to send a certified copy of this Order to the parties.

Entered this 18th day of October, 2021.



NORMAN K. MOON
SENIOR UNITED STATES DISTRICT JUDGE